

E-File 101

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E-Filing - HAMILTON

- Currently voluntary
- Now Mandatory Hamilton County
 - All attorneys
 - All “Subsequent filings”
- Other Counties currently on line – September 1, 2016

E-Filing Statewide

- Rolling out over the next 21 Months –
- Goal 92 Counties
- Three Separate Case Management Systems
 - Odyssey
 - CSI
 - Quest

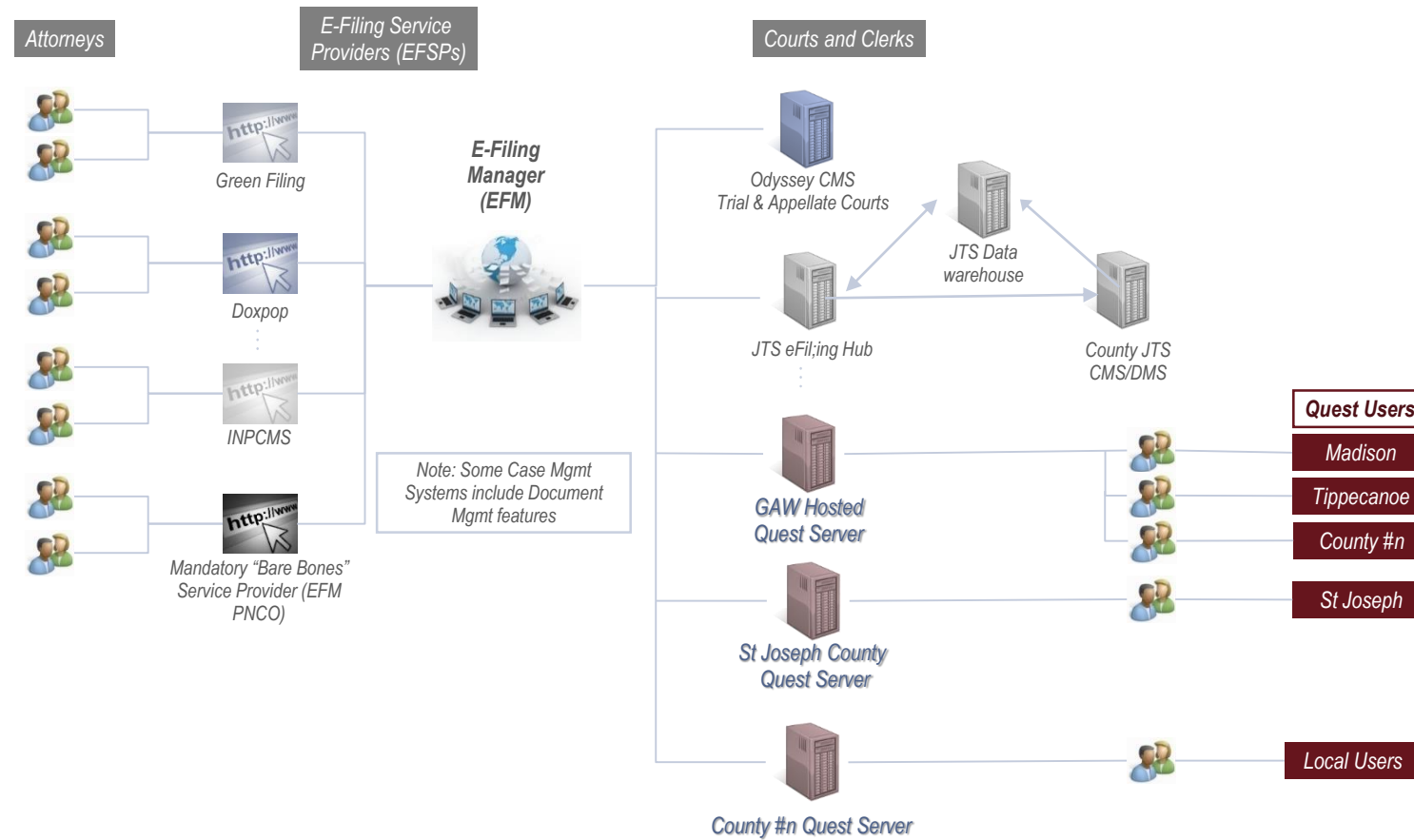
E-Filing

- <http://www.in.gov/judiciary/4267.htm>
- Go to above to learn more:
 - Rules – Especially TR 86
 - Implementation chart regarding where you can E-File
 - E-File Service Providers

EFM – E-File Manager

- Software Interface between the Courts and the EFSP's
- Contracted with the State for Statewide E-Filing
- Act as free EFSP as part of EFM contract

IEFS – The Big Picture



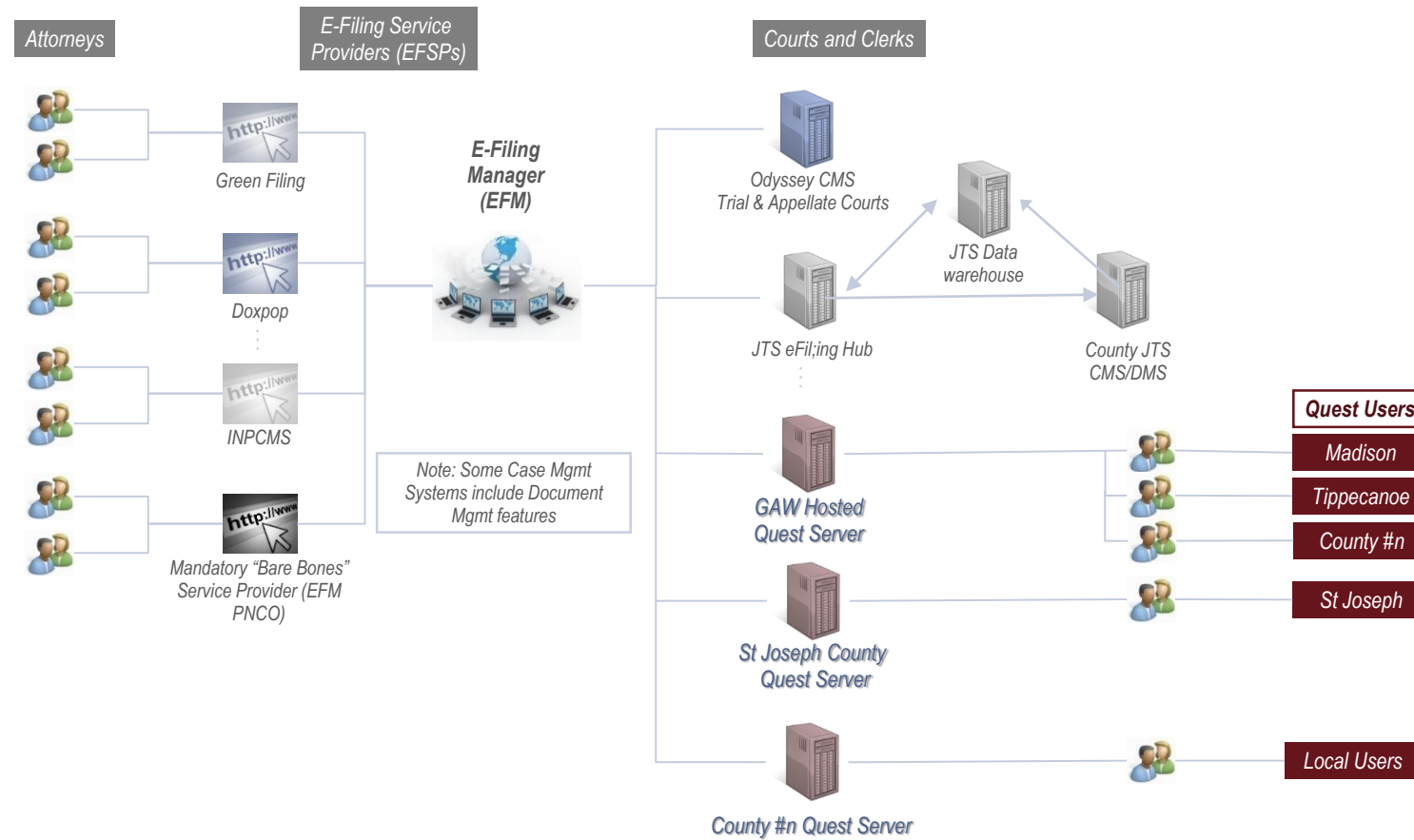
EFSP – E-File Service Provider

- Software interface between filer – and the EFM
- Chosen by the Filer
- Certified by Court Administration
- Certified by EFM

EFSP – YOUR CHOICE

- Five Certified Currently: Efile.incourts.gov (Tyler, Doxpop, GreenFiling, filetime, and Neat Filing.)
- More coming
- Comparison Chart at <http://www.in.gov/judiciary/files/e-filing-efsp-comparison.pdf>
- Efile.incourts.gov is **FREE** but basic

IEFS – The Big Picture



E-Service

- When an attorney uses E-File – then by Rule must E-Serve for Certificate of Service
- Can be used to Serve without filing
- Substantial cost savings
- Distinct from Service of Process – Also changing - now copies delivered to Clerk – Soon likely Clerk will return summons to you and filer then makes sure copies for service are delivered and file return with the Clerk

E-Service – What is it

- Service by electronic means of documents **between parties** using IEFS
- A term of “Art”
- All registered users of IEFS consent to receive electronic service and are required to E-Serve others
- Trumps current TR 3.1 – See Trial Rule 86
- TR 3.1 is being modified – now opt in for Email service soon opt out between counsel.

E-Service - What it is not

- It is not the only method or means of email or electronic service.
- It does not mean every email – only service as defined through IEFS
- Only refers to service between parties of subsequent filings IT IS NOT ELECTRONIC SERVICE OF PROCESS.

Service of Process in E-File

- While there are options for electronic service of process none have been adopted in Indiana – we do not yet have electronic service of process.
- Service of process is still accomplished in conventional or historical fashion
- Sheriff, Certified Mail, Special Process Server or Waiver
- Old Trial Rule 86 provided that within 3 days of filing a new action by E-file filer had to deliver to Clerk summons and copies for service.

Service of Process in E-File

- July 1, 2016
- Clerk issues summons and returns to filer
- Filer completes service
 - Makes copies,
 - Stuffs envelopes
 - Delivers to mailer or server
- Return is returned to clerk for filing.

The Process - Submitting a Filing

- Filer creates a document
- Document is signed – conventionally or /s/SIGNATURE
- Filer Converts to PDF format (scan, print to pdf or save as pdf)
- Filer connects to chosen EFSP
- Filer completes filing cover screen – cause number, document type and name, party filing

The Process Submitting a Filing

- Filer uploads document to EFSP
- Filer submits filing
- When EFM receives – usually seconds- an email is sent to filer and service folks with copy of document.
- Now ready for Clerk Review

The Process – Clerk Review

- Clerks signs on to EFM and opens filing envelop submitted by the attorney
- Clerk confirms party filing, cause number and lead document code.
- Clerk makes any required modifications to Lead document code and filing comments and then decides- Accept or Reject
- Overwhelming majority of filings are accepted – well over 90%

The Process Clerk Review

- Upon Acceptance EFM sends to Case Management System – a CCS entry is auto created that filing made and by whom
- Copy of the document filed is attached to that entry
- Entry contains the “filing comment” field originated by filer as modified by Clerk.
- Depending on Event code assigned a Task is created and document enters Digital Work Flow

Digital Work Flow

- Replaces stacks of paper and files which went from location to location as documents were reviewed and processed.
- A digital image is routed across the desktop of those folks who need to see it in order that they need to see to process.

Digital Work Flow Example

- Filer files a Motion for Continuance and proposed order which is accepted for filing by clerk.
- Task goes to Court receiving Queue for distribution.
- Distributed to Judge Queue for review and decision
- Distributed to Court Scheduler for addition of hearing date
- Distributed to Clerk for order entry on CCS and distribution.

Digital Work Flow – The Court WIIFM

- It is what's in it for us
- No more paper files that get lost
- No more documents in a file that have to be found
- Multiple people can see the file at one time
- No files to transport, store microfilm and destroy.
- Files that are available off site for review

E-File Terms to Love and Cherish

- Filing Envelope - a single instance submission that may or may not contain multiple lead documents and should at minimum contain all lead document related to a specific request
- Maximum Document size- 25MB
- Lead Document – a document that stands on its own
- Attachment – a document that adds to or supports a lead document and can not stand on its own

E-File Terms to Love and Cherish

- Filing Code – the code selected by E-Filer to identify a filing- a very simple and short list –

If you are asking for relief- a motion

If a judge signs it –a proposed order

If a Clerk will sign and send to another – a proposed notice.

Self explanatory to provide broad categories for processing

E-File Terms to Love and Cherish

- Event Code - a filing code assigned by Clerk – may be but probably is not the same as filing code. It drives Task Queue distribution, statistical information and a variety of other automated tasks.
- E-Notice – a method used by Odyssey Courts to provide electronic notice to attorneys and parties of entries, orders, notices and judgments entered by the Court. It is not E-Service and will become mandatory for all attorneys soon estimated June 1 when dealing with an E-file County.
- Proposed Orders – an order submitted by the filer as a proposal for the court

On the Horizon

- Coming to a Computer near you – all orders on line
- How will this effect what I put in an order – or should it?
- Public/Confidential/Creepy
- Public Access Task Force began meeting April 8 to define the parameters of what portions of Court records will be put on line.
- A new document type?

Take Away

- EFSP Selection is a BIG Decision that attorneys must make
- Soon TR 86 E-file will be only E-File solution –as County adopts E-File prior pilot programs will expire
- It is a new world being remade every day

QUESTIONS

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